

# EXHIBIT H

**From:** [Gonzalez, Arturo J.](#)  
**To:** [John Cooper](#)  
**Cc:** [David Perlson](#); [Rivera, Sylvia](#); [Melissa Baily](#); [James Judah](#); [Matthew Cate](#); [UberWaymoMoFoAttorneys](#); [BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](#); [DG-GP Otto Trucking Waymo](#); [Uber-sg@LISTS.SUSMANGODFREY.COM](#); [QE-Waymo](#)  
**Subject:** Waymo v Uber - Levandowski Communications and Amended Privilege Logs  
**Date:** Thursday, September 21, 2017 9:42:22 PM

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John,

We are not withholding any drafts. There is no need for a call.

Arturo

Sent from my iPad

On Sep 21, 2017, at 8:02 PM, John Cooper <[JCooper@fbm.com](mailto:JCooper@fbm.com)> wrote:

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- External Email -

Counsel

We will meet and confer tomorrow at 10:00 am. Call in number is 888 759 6039 access 415 954 4410. John

John L. Cooper  
Farella Braun + Martel LLP  
Direct: 415 954 4410  
[jcooper@fbm.com](mailto:jcooper@fbm.com)

On Sep 21, 2017, at 7:50 PM, David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)> wrote:

John, can we please have a meet and confer on this in the morning?

David

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**From:** David Perlson  
**Sent:** Thursday, September 21, 2017 7:01 PM  
**To:** 'Rivera, Sylvia' <[SRivera@mofo.com](mailto:SRivera@mofo.com)>; Melissa Baily <[melissabaily@quinnemanuel.com](mailto:melissabaily@quinnemanuel.com)>  
**Cc:** James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>; Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>;  
UberWaymoMoFoAttorneys <[UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com)>;  
[BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com); DG-GP Otto Trucking Waymo <[DG-GPOTTOTruckingWaymo@goodwinlaw.com](mailto:DG-GPOTTOTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
<[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>; Gonzalez, Arturo J. <[AGonzalez@mofo.com](mailto:AGonzalez@mofo.com)>; John Cooper  
<[JCooper@fbm.com](mailto:JCooper@fbm.com)>  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

Sylvia, are Defendants withholding any drafts of the Due Diligence Report?

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**From:** Rivera, Sylvia [<mailto:SRivera@mofo.com>]  
**Sent:** Thursday, September 21, 2017 6:47 PM  
**To:** Melissa Baily <[melissabaily@quinnemanuel.com](mailto:melissabaily@quinnemanuel.com)>  
**Cc:** James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>; Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>;  
UberWaymoMoFoAttorneys <[UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com)>;  
[BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com); DG-GP Otto Trucking Waymo <[DG-GPOTTOTruckingWaymo@goodwinlaw.com](mailto:DG-GPOTTOTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
<[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>; Gonzalez, Arturo J. <[AGonzalez@mofo.com](mailto:AGonzalez@mofo.com)>; David Perlson  
<[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>; John Cooper <[JCooper@fbm.com](mailto:JCooper@fbm.com)>  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

Melissa,

We'll provide the revised privilege logs tomorrow. I don't have a time certain. I am informed that

documents that were removed from the privilege logs were produced in UBER\_152, 153, and 154.

Sylvia

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**From:** Melissa Baily [<mailto:melissabaily@quinnemanuel.com>]  
**Sent:** Thursday, September 21, 2017 3:01 PM  
**To:** Rivera, Sylvia  
**Cc:** James Judah; Matthew Cate; UberWaymoMoFoAttorneys; [BSF\\_EXTERNAL\\_UberWaymoLit@bsflp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsflp.com); DG-GP Otto Trucking Waymo; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo; Gonzalez, Arturo J.; David Perlson; John Cooper  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

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Thanks Sylvia. Approximately when tomorrow do you expect to send the amended logs? In the meantime, can you immediately let us know the bates range of the documents produced off of the MoFo, Uber, and OMM logs?

Thanks,  
Melissa

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**From:** Rivera, Sylvia [<mailto:SRivera@mofo.com>]  
**Sent:** Thursday, September 21, 2017 9:38 AM  
**To:** Melissa Baily <[melissabaily@quinnemanuel.com](mailto:melissabaily@quinnemanuel.com)>  
**Cc:** James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>; Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>; UberWaymoMoFoAttorneys <[UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com)>; [BSF\\_EXTERNAL\\_UberWaymoLit@bsflp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsflp.com); DG-GP Otto Trucking Waymo <[DG-GPOTTOtoTruckingWaymo@goodwinlaw.com](mailto:DG-GPOTTOtoTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo <[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>; Gonzalez, Arturo J. <[AGonzalez@mofo.com](mailto:AGonzalez@mofo.com)>; David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>; John Cooper <[JCooper@fbm.com](mailto:JCooper@fbm.com)>  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

Melissa,

We're providing revised privilege logs that list the Bates numbers for documents that came off of the log as a courtesy to Waymo, not out of any obligation. We'll furnish those tomorrow. With regard to the other question in Mr. Judah's email below, the April 20, 2017 correspondence will be produced today. The April 27 communication was verbal, so there is no corresponding document to produce.

Regards,  
Sylvia

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**From:** Melissa Baily [<mailto:melissabaily@quinnemanuel.com>]  
**Sent:** Thursday, September 21, 2017 9:23 AM  
**To:** Gonzalez, Arturo J.; John Cooper; David Perlson  
**Cc:** James Judah; Matthew Cate; UberWaymoMoFoAttorneys; [BSF\\_EXTERNAL\\_UberWaymoLit@bsflp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsflp.com); DG-GP Otto Trucking Waymo; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

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Arturo,

I don't believe we heard from you on these issues yesterday. The amended privilege log should have been ready to go pending the Federal Circuit's ruling. As far as I'm aware, we still don't have it.

Melissa

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**From:** Gonzalez, Arturo J. [<mailto:AGonzalez@mofo.com>]  
**Sent:** Wednesday, September 20, 2017 4:46 PM  
**To:** John Cooper <[JCooper@fbm.com](mailto:JCooper@fbm.com)>; David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>  
**Cc:** James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>; Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>;

UberWaymoMoFoAttorneys <[UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com)>;  
[BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com); DG-GP Otto Trucking Waymo <[DG-GPOttoTruckingWaymo@goodwinlaw.com](mailto:DG-GPOttoTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
<[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>

**Subject:** Waymo v Uber - Levandowski Communications and Amended Privilege Logs

John,

Understood. As you know, we are working to finalize all of our pretrial filings by 9:00 tomorrow.

**ARTURO J. GONZÁLEZ**

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**From:** John Cooper [<mailto:JCooper@fbm.com>]  
**Sent:** Wednesday, September 20, 2017 4:43 PM  
**To:** David Perlson  
**Cc:** Gonzalez, Arturo J.; James Judah; Matthew Cate; UberWaymoMoFoAttorneys;  
[BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com); DG-GP Otto Trucking Waymo; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
**Subject:** Re: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

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Arturo

Please get these documents produced as soon as possible. John

Sent from my iPhone; dictated to Siri

On Sep 20, 2017, at 4:41 PM, David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)> wrote:

John, what we need are the docs and the logs by the end of the day. We should already have these materials and are continuing to be prejudiced by Defendants stonewalling.

David

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**From:** Gonzalez, Arturo J. [<mailto:AGonzalez@mofo.com>]  
**Sent:** Wednesday, September 20, 2017 4:39 PM  
**To:** David Perlson <[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)>; John Cooper <[JCooper@fbm.com](mailto:JCooper@fbm.com)>; James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>  
**Cc:** Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>; UberWaymoMoFoAttorneys <[UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com)>; [BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com); DG-GP Otto Trucking Waymo <[DG-GPOttoTruckingWaymo@goodwinlaw.com](mailto:DG-GPOttoTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo <[gewaymo@quinnemanuel.com](mailto:gewaymo@quinnemanuel.com)>  
**Subject:** Waymo v Uber - Levandowski Communications and Amended Privilege Logs

John,

We are working on this and will get them a response by the end of the day.

**ARTURO J. GONZÁLEZ**

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**From:** David Perlson [<mailto:davidperlson@quinnemanuel.com>]  
**Sent:** Wednesday, September 20, 2017 4:37 PM  
**To:** John Cooper; James Judah  
**Cc:** Matthew Cate; UberWaymoMoFoAttorneys; [BSF\\_EXTERNAL\\_UberWaymoLit@bsfilp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfilp.com);

DG-GP Otto Trucking Waymo; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo  
**Subject:** RE: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

- External Email -

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John, Defendants have not followed your directive. These should not be difficult questions to answer.

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**From:** John Cooper [<mailto:JCooper@fbm.com>]  
**Sent:** Wednesday, September 20, 2017 2:22 PM  
**To:** James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)>  
**Cc:** Matthew Cate <[MCate@fbm.com](mailto:MCate@fbm.com)>; [UberWaymoMoFoAttorneys@mofo.com](mailto:UberWaymoMoFoAttorneys@mofo.com); [BSF\\_EXTERNAL\\_UberWaymoLit@bsfillp.com](mailto:BSF_EXTERNAL_UberWaymoLit@bsfillp.com); DG-GP Otto Trucking Waymo <[DG-GPOttoTruckingWaymo@goodwinlaw.com](mailto:DG-GPOttoTruckingWaymo@goodwinlaw.com)>; [Uber-sg@LISTS.SUSMANGODFREY.COM](mailto:Uber-sg@LISTS.SUSMANGODFREY.COM); QE-Waymo <[qewaymo@quinnemanuel.com](mailto:qewaymo@quinnemanuel.com)>  
**Subject:** Re: Waymo v Uber - Levandowski Communications and Amended Privilege Logs

Defendants, please advise as to when these documents will be produced. John

Sent from my iPhone; dictated to Siri

On Sep 20, 2017, at 2:17 PM, James Judah <[jamesjudah@quinnemanuel.com](mailto:jamesjudah@quinnemanuel.com)> wrote:

John/Counsel –

We are still waiting on two outstanding discovery items. Please confirm that Defendants will produce the below items by today. John—we ask that given the Court’s directive today that you direct Defendants to provide this material today.

- 1) The withheld documents compelled by Judge Corley in her September 11 Order requiring Uber to produce “any documents [that] are being withheld as to the April 27 communication” to Mr. Levandowski, as well as the “April 20 written directive from Uber in-house counsel Angela Padilla to Mr. Levandowski.”
- 2) Amended privilege logs for those affected by the Federal Circuit’s ruling, identifying the Bates number corresponding to each log entry (as agreed to by S. Rivera’s 9/14 email and J. Lin’s 9/14 email).

Best,  
James

**James Judah**  
*Associate,*  
Quinn Emanuel Urquhart & Sullivan, LLP

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San Francisco, CA 94111  
415-875-6420 Direct  
415.875.6600 Main Office Number  
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